

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Yuji TSUKAMOTO

Application No.: 09/972,950

Filed: October 10, 2001

For: OPTICAL RECORDING MEDIUM AND  
METHOD

ATTN: Box Missing Parts

Atty. Docket No.: 107292-00027

Customer No.: 004372

Confirmation No.: 4804

**RESPONSE TO NOTICE TO FILE MISSING PARTS**Commissioner for Patents  
Washington, D.C. 20231  
**ATTN - BOX MISSING PARTS**

December 6, 2001

Sir:

In the Notice to File Missing Parts of Application dated November 1, 2001, (copy attached), an objection to the Declaration on the basis that the Declaration is unsigned was made. It is respectfully submitted that the Declaration is in fact signed by the inventor and thus the requirement for a new Oath or Declaration should be withdrawn.

Attached is a copy of the Declaration as filed in which the inventor's signature on page 3 of 3 has been highlighted. Although the inventor's signature is in non-English characters, the use of non-English characters is permitted as set forth in MPEP 605.04(a).

Since the originally filed Declaration is proper and does include the applicant's signature, it is submitted that the fee of \$130 is not required.

12/11/2001 ETULU1 00000021 012300 09972950

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In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing our docket number of 107292-00027.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

A handwritten signature in black ink, appearing to read 'Charles M. Marmelstein', with a long horizontal flourish extending to the right.

Charles M. Marmelstein  
Attorney for Applicant  
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CMM:mmg

Enclosures: Notice to File Missing Parts (copy); Copy of Originally Filed Declaration  
and Power of Attorney



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972,950	10/10/2001	Syuji Tsukamoto	107292-00027

CONFIRMATION NO. 4804

004372

ARENT FOX KINTNER PLOTKIN & KAHN  
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WASHINGTON, DC 20036



## FORMALITIES LETTER



\*OC000000007008030\*

Date Mailed: 11/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE